ANSWERS

TO

The REASONS of DISSENT from a Reſolution of the General Aſſembly to apply to Parliament for an Augmentation of Stipends.

With ANSWERS to the INTRODUCTION prefixed to a printed Copy of the Reaſons of Diſſent, &c. there ſaid to have been entered by the Officers of State, &c.

——*pro aris & focis.*

1 Cor. ix. 13. 14. *Do ye not know that they which miniſter about holy things, live of the things of the temple? and they which wait at the altar, are partakers with the altar? Even ſo hath the Lord ordained, that they which preach the goſpel, ſhould live of the goſpel.*

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ANSWERS to the INTRODUCTION prefixed to a printed Copy of the Reaſons of Diſſent, &c.

The INTRODUCTION to the Reaſons.

" ALthough the following reaſons of diſ-
" ſent, when preſented to the laſt gene-
" ral aſſembly, were by them ordered to be
" kept *in retentis*, until, in due time, they
" ſhould receive a proper anſwer; yet as that
" time is not yet come, and perhaps never will,
" they are now made publick; not ſo much
" for the honour of thoſe who preſented them,
" as for the benefit and information of the
" country in general.

" It was the misfortune of this country,
" *Scotland*, lately to feel the calamities of an
" unprovoked rebellion;—a rebellion raiſed by
" men, who proudly, though falſely, ſtyled
" themſelves the only true lovers of their coun-
" try.——And now, when that rebellion is
" quaſhed, it is the misfortune of *Scotland*,
" again to ſee a body of men, who have been
" all along preaching and praying for the peace
" and quiet of his Majeſty's government, be-
" come the firſt to diſturb it.

" It is true, theſe Gentlemen aſſume the
" name of *Whigs*, and brand thoſe who oppoſe
" their ſcheme with the name of *Jacobites*.—
" And they are at liberty to do ſo.——Many,

"very many of the landed intereſt, are above "that ſuſpicion, and deſpiſe it; and thoſe few "of the landed intereſt who are not, no doubt, "will deſpiſe them who make it.

"If the clergy are *Whigs* from principle, "they have their reward; if they are not, "they deſerve none.

"What it was that moved the greateſt part "of the Gentlemen, members of the laſt aſ-"ſembly, to oppoſe the preſent ſcheme for "augmentation of ſtipends, the world will ſee "in the following pages; where they will find "nothing of that ill-nature, or bad manners, "ſo remarkably ſhewn in ſome late perform-"ances. They will ſee, that the oppoſition "flowed, not from humour and pique, but "from reaſon and judgment; not from diſ-"affection to the Proteſtant cauſe, but from the "moſt hearty concern for its welfare; not "from diſregard to the Church of *Scotland*, "but from a ſincere deſire of ſeeing her flou-"riſh.

"The conſtitution of the Church of *Scot-"land* is one thing, and the clergy of the "Church of *Scotland* are another: and he "may wiſh well to the one, who is not at all "pleaſed with the conduct of the other. A "good conſtitution may be endangered by a "bad Miniſter. This has been ſeen in the "ſtate in former reigns, and may be ſeen in "the Church.

"How much, and how often, the Church "of *Scotland* has been ſupported by the landed "intereſt in former times, hiſtory teſtify.

"And let these reasons of dissent testify, how "much inclined the landed interest was, to "have supported her even in these times,— "against the will and struggle of many of the "clergy, who sought, with their own hands, "to pull her down. He who hinders a man "to cut his own throat, saves a life, as much "as he who hinders it from being cut by ano-"ther.

"That the scheme for augmenting the sti-"pends of the clergy, will have this melan-"choly effect,—cannot be affirmed certainly, "because it is future:—but if we may be al-"lowed to argue from what is past, or from "what is present, such a conjecture is not "unreasonable.—And it is not easy to con-"ceive, how any true friend of the Church "of *Scotland* can be fond of putting it to the "trial.—*That the Church is in danger*, is in-"deed an old cry:—but it is the first time that "this cry was raised and kept up by laymen "only.——The clergy have either taken the "opposite side;—or, a few excepted, sit still, "and say nothing.

"Without entering into the merits of the "question, one thing is evident, that the warm "promoters of this scheme are resolved to push "it, be the opinion of the landed interest what "it will.—They disdain their advice; and "say, they need none of their assistance.— "They leave the cause to be determined by *the "best of Kings, and the best of parliaments.*— "So also say the Gentlemen of *Scotland*.— "To the King and the parliament they do

" leave it;—and they are in little pain for the
" event.——*To your tents, O Iſrael!* it ſeems,
" is the word: but *let not him that putteth on his*
" *harneſs boaſt, as he that putteth it off.*

" It is talked of as a matter of right; that
" the clergy are ſeeking but their own,—and
" but a part of their own;—and ſure as *Britons*,
" and as freemen, they have a title to demand
" it.——*Right* is a ſtrong word, and not eaſily
" digeſted;—and Gentlemen ought to be well
" informed that they have ſuch a right, before
" they thus demand it. However, ſince it is
" on this footing that they reſt their cauſe, all
" arguments from favour and expedience are
" at an end.——At ſome times indeed, and on
" ſome occaſions, they have attempted to flat-
" ter;—at other times, and on other occaſions,
" they don't heſitate to offend;—and, by an
" open attempt upon one of the moſt illuſtrious
" characters of this country, have ſhewn what
" treatment they are ready to give to others,
" who are leſs aſſured of the publick protection
" than he is.——They have endeavoured, by
" witticiſms of the loweſt kind, retaled by
" hawkers for a penny,—by publick advertiſe-
" ments,—by tedious pamphlets,—and, in fine,
" by all the artillery of a paper-war, firſt to
" convince their brethren, that an augmen-
" tation of ſtipends was neceſſary,—and then
" the Gentlemen, that they were extremely
" indifferent, whether they had their aſſiſtance
" in obtaining it, or not.

" Sure, then, it is time, if ſo was ever time,
" for thoſe of the landed intereſt who love the

" Church

"Church of *Scotland*, to oppoſe this hazar-
"dous attempt.——As for thoſe who neither
"love the Church nor the clergy,—they may
"aſſiſt the clergy if they pleaſe;—let the clergy
"look to the conſequences.

"As theſe reaſons of diſſent are publiſhed
"without the knowledge or conſent of thoſe
"who preſented them, neceſſary and decent it
"is, to make apology to them for the liberty
"now taken.——Others, all others, may do
"as they pleaſe."

ANSWERS to the Introduction.

THE time of making proper anſwers to the reaſons of diſſent entered againſt the reſolution of the laſt general aſſembly is come, and they are now publiſhed to the world; and will, it is hoped, remove abundance of the prejudice which hitherto has prevailed againſt applying to parliament, and repreſenting the diſtreſſed condition of many of the Miniſters of the Church of *Scotland* by reaſon of the lowneſs of their ſtipends.

All that the clergy of *Scotland* need aſk, is, That the whole may be read with candour and impartiality, by every perſon into whoſe hands they may happen to come.

There ſeems to have been no need of an introduction to the reaſons of diſſent, nor to the anſwers to them; nor ſhould the publick have been troubled with any thing of that ſort to introduce the following anſwers, if it had not become ſomewhat neceſſary, to correct the miſ-

takes

takes in point of fact which the author of the introduction to the reasons of dissent has fallen into, and to make some observations upon it.

One observation must occur to every unbiassed person, that the style of this performance is bitter, and very little respectful to the Ministers of the Church of *Scotland*, and calculated to give a bad impression of them and their conduct, to make the reasons of dissent to relish the more.

The clergy had indeeed nothing better to expect from one who, though he pretends to have a very great concern for the good of the Church of *Scotland*, has most unhappily dropt a part, and a most respectful part, of the sentence from which he has taken his motto; which it was proper to restore, as the debate, so far as respects the clergy, is truly *pro aris & focis*.

It is putting things in an odious but an unjust light, to mention the misfortune *Scotland* lately felt by an unprovoked rebellion, (which of all other loyal subjects the clergy felt most), and that now, when that is quashed, it is her misfortune to see a body of men who have been preaching and praying for the peace and quiet of his Majesty's government, become the first to disturb it.

Whatever way this author may construct things, the clergy are conscious to themselves, that they have not the most distant intention to disturb his Majesty's mild and gracious government.

It is too severe an imputation upon the clergy, to alledge, that the projected application is

flatly

flatly contradictory to what they have been ſeriouſly preaching and praying for. And if any diſturbance ariſes from their application, it cannot be imputed to them, but to others, who have ſpared no pains to make an oppoſition to it as great as could be.

That the clergy of *Scotland* not only call themſelves *Whigs*, but are really ſo, is what their greateſt enemies muſt acknowledge. That they brand thoſe who oppoſe them with the name of *Jacobites*, is not true; nor do they think they are at liberty to do ſo. The clergy think they have their reward by being *Whigs* from principle; and the author is the firſt man who ever took it upon him to ſuppoſe the contrary.

The general aſſembly has done no more than to come to a reſolution, which ſeemed once to be approved of without a diviſion; and this the reaſons of diſſent themſelves admit. It was the buſineſs of the committee appointed, to anſwer theſe reaſons; and it is hoped they have anſwered them without ſhewing any ill-nature or bad manners. Nor is the aſſembly or their committee bound to anſwer for volunteers who may undertake their cauſe, and whoſe fervour may carry them beyond the rules of decency, as well as this author has been carried out of zeal for the cauſe he eſpouſes.

It would be a ſtrange diviſion, if all the judgment and all the reaſon were upon one ſide, eſpecially of a very ſmall minority, and nothing but folly and the want of judgment upon the other, as this author arrogantly aſſerts.

The

The author ſays, "The conſtitution of the "Church of *Scotland* is one thing, and the "clergy of that Church is another." This is very looſe: for if it is true, then the clergy are no part of the conſtitution of the Church of *Scotland*:—A very wiſe and peaceable doctrine!

Though the author diſapproves the conduct of the clergy, yet the queſtion remains, If they are to blame, when with ſincerity they can ſay, and from the moderation of their requeſt it appears, that their only aim is to deliver themſelves and their ſucceſſors from poverty and contempt, by having ſuch livings allotted to them as may enable them to ſupport their uſeful and honourable character, and which cannot poſſibly be funds for maintaining them in luxury and extravagance.

The clergy are very ſenſible of the ſupport they have had from the landed intereſt, and are very thankful for the inclination ſuch of them as were members of the aſſembly ſhewed in leſſer things to provide relief, and very ſorry they have retracted theſe conceſſions, as the diſſent calls them, and that they have even diſſented from them. It is not extremely charitable in the author to ſay, that many of the clergy ſought to pull down the Church with their own hands. Nothing was more oppoſite to their intentions, which were for promoting of ſincere religion and virtue, and obtaining a decent and reaſonable maintenance for the teachers thereof; which muſt contribute to build up, and not to pull down the Church of *Scotland*.

The

The cut-throat ſimile which follows, is *un peu trop outre*, a little too extravagant. What follows, is meant to introduce a thing which is indeed very ſingular, the old cry, *That the Church is in danger*, in the mouths of laymen only. Here it may be remarked, that the author admits there is not one clergyman of his opinion. But this ſingularity is ſo ſingular, that it is ſcarce to be thought that will be taken as true when the topick of the laity, which has been often, very often, doubted of when uſed by others. There is really ſomething in danger, but it is not the Church: it is rather of a ſecular nature; which is left to the conjecture of the ingenious.

The author falls into ſeveral egregious miſtakes. He takes it for granted, the landed intereſt to a man are againſt the ſcheme; which is not fact; and all this to load the clergy moſt injuriouſly. They diſdain (ſays he) their advice; and ſay, they need none of their aſſiſtance. The clergy never thought the one, or ſaid the other; and are extremely ſorry they are not honoured with both ſo univerſally as they heartily wiſh: of which it is believed a miſtaken claſhing of intereſts, even ſuch as to be material, was the moſt intereſting motive. But it is hoped that opinions taken up upon prejudices, may and will be removed, when the ſmall ſum the execution of this ſcheme will require, comes to be underſtood. It is true, that it is difficult to remove prejudices, eſpecially when they are connected with intereſt; but it is every man's duty, when a matter of publick concern and utility

casts up, to employ the publick part of his spirits, and, after divesting himself of such prejudices, to examine the thing in hand impartially. As a man and a Christian he should look into it with care. And if that is done, the clergy may flatter themselves, that it will appear the success of this scheme will neither be attended with great annual expence, nor with such dreadful consequences as have been suggested. The clergy do admit they have said, That they leave their cause to *the best of Kings, and the best of parliaments*: and one should think, that when there are such umpires between the parties, there was no necessity to make such a bustle about this matter, and much less to load the clergy with conclusions pretended to be drawn from the assembly's resolution; such is, That it tends to the ruin of religion and virtue, and will disturb the quiet of the government. And as all these things are the objects of the peculiar care of our gracious King, and the parliament, and every thing else which may occasion different interests among subjects, they might have been settled to as good purpose, though cooler and calmer methods had been followed. The general assembly, nor any of their committees, have made it their word, *Tunam tenta, Sodram*: The author, in imputing this to the clergy, follows the example of a certain extraordinary judge, *Jeffries*, of history-favourly memory, who, in the reign of King *James* VII. upbraided the Reverend and learned Mr. *Baxter* in the same manner. With great deference to

this

the author, the conduct of others makes that passage more applicable to them. Non have the clergy put on their harness, and boasted as he that putteth it off; though so much cannot be said for the author. They have as still, and except one moderate paper published by one of the assembly's committees, have not said a word till now, nor boasted at all; but have chearfully trusted to the goodness of their cause, and the Justice of their judges, and continue to do so.

What is the nature of the right the clergy have, is explained in the answers to the reasons of dissent. They pretend no right to the tithes; but they do pretend to have a living allotted to them out of the tithes; and the question is, What that should be? Is this so dreadful and terrible a thing, when the matter is to be judged of by a *British* parliament? The clergy, so far as can be observed, have neither flattered, nor attempted flattery; except it can be called flattery to agree to a motion, which they and all the world thought yielded to them the capital and favourite point they had insisted upon, which it is owned they did. Nor have they offended; unless it can be called so, to insist, as they still humbly do, that such was the only meaning of that motion.

As for what the author says, That an open attempt has been made upon one of the most illustrious characters; from which false assertion he makes a most uncharitable inference, that this shews what treatment they are ready to give to others, who are less esteemed of the public

blick protection than he is: the aſſembly, one cannot fail to think, are here very injuriouſly calumniated, and indeed the whole of the clergy. They have treated no illuſtrious character but with the greateſt regard. And as they are ſenſible, that every body is intitled to publick protection, they want to know what it is that intitles this author to ſhew his ill-nature at them in this, and almoſt every other paragraph of his paper. Sure the clergy are intitled to publick protection, common to all. As to what the author ſays, That thoſe who neither love the Church nor the clergy, may aſſiſt the clergy in this matter if they pleaſe; the Church of *Scotland* is ſenſible of the great obligations ſhe is under to thoſe of the laity who have generouſly and diſintereſtedly aſſiſted the clergy in this ſcheme. Their characters for loyalty, and a ſincere regard to the Church, is well known. And for thoſe of other principles, as the Miniſters have none of their aſſiſtance, ſo they never aſked nor expected it. Thoſe ſort of folks to a man are on the ſide of the oppoſition; and let this author and his friends look to the conſequences.

But too much has been ſaid upon this author's performance; and the publick is aſſured, that this introduction is the work of a private hand, who ſhall think his labour well rewarded, if he has been able to perſuade the reader to lay aſide all prejudice; and that he had no more authority to publiſh the anſwers, than the author of the introduction had to publiſh the reaſons of diſſent.

A

ANSWERS TO The REASONS of DISSENT entered by my Lord *Napier*, and adhered to by ſeveral others, againſt the reſolution of the General Aſſembly, appointing an application to be made to parliament concerning the ſcheme for augmenting the ſtipends of the Miniſters of the Church of *Scotland*.

Drawn up by the committee of the ſaid aſſembly appointed for that purpoſe.

PREAMBLE to the Reaſons of Diſſent.

"IN the various debates that have occurred, both before general aſſemblies and their committees, concerning a ſcheme propoſed for augmenting the ſtipends of the Miniſters of this Church, the chief points in controverſy having been, *Firſt*,

A "Whether

"Whether an application to parliament was "at all neceſſary or reaſonable? *Secondly*, "If ſuch application was to be made, whether "there ſhould be any mention in it of increa- "ſing the *minimum* of ſtipends, as now fixed "by the ſtanding law? the aſſembly, at their "meeting on *Monday* laſt, after long reaſon- "ing, agreed, without a diviſion, that an "application ſhould be made to parliament, "repreſenting the diſtreſſed condition of ſeve- "ral of the Miniſters of *Scotland* by reaſon of "the lowneſs of their ſtipends. But as ſeveral "of us did not give our aſſent to that reſolution, "but expreſsly declared againſt it; and as thoſe "of us who conſented to the application in ge- "neral, did ſo, contrary to our real opinion, "for the ſake of peace and unanimity; we ap- "prehend, in regard the aſſembly, not con- "tented with a general application, are reſol- "ved to demand an alteration of the *minimum* "alſo, that any conceſſion formerly made "from ſo good a view, is now diſpenſed with; "and therefore that we are at liberty to diſſent "from every ſtep which has been made to- "wards ſuch an application, for the following "reaſons."

ANSWER to the Preamble.

In order to the full and diſtinct anſwering of this preamble, it will be neceſſary to give a ſhort account of this affair.

At the meeting of the aſſembly on *Monday*, after the report of the committee was read, the whole

whole of the debate turned upon the reasonableness and expediency of applying to parliament for raising the *minimum* of Ministers stipends to ten chalders of victual, or the value thereof. After this had been debated for about nine hours, an Honourable member, the President of the court of session, made a motion, *viz.* "That the assembly should apply to "parliament, representing the distressed circumstances of many of the Ministers of the "Church of *Scotland* by reason of the lowness "of their stipends; and praying for such relief "as they in their wisdom shall think meet."

This motion was attended with a declaration to the assembly, That he would, if he was a member of the house of Commons, reckon it his honour to present such a bill to that house. All this was several times repeated from the chair. The motion was made after a debate of nine hours; in which by far the greatest numbers of the assembly had declared their opinions for an application to parliament for increasing the *minimum*. It was made after the question was proposed to be put, If such application should be made? which it was evident would have been resolved in the affirmative. And a resolution just in the words of the motion was agreed to, and a committee appointed to carry it into execution, and to draw up instructions to such commissioners as should be named by the assembly. The Noble and Honourable Dissenters admit in the preamble to the reasons of dissent, that this resolution was agreed to without a division; and yet immedi-

actly add, that "several of us did not give an "assent to that resolution, but expressly declared against it." These things do not hang together. The resolution could not be both agreed to, and yet expressly declared against. The truth of the matter is, it was agreed to by the friends of the augmentation, because it yielded to them all they were willing for; and by those who opposed it, because they evidently saw, that had the question been put, it must have been resolved in the affirmative by a vast majority. That this was the sense of the assembly, no man can doubt; and that it was the sense also of the world, we humbly aver: within and without doors, the same opinion prevailed. It could not therefore but surprize the assembly, to observe an article of the committee's report, (flatly contradictory to the intention of naming it), putting a negative upon so much as mentioning an increase of the *minimum*, in the application which it was agreed to make to parliament; and therefore this part of the report was rejected by a very great majority of the assembly. And the former resolution was renewed in general words, pretty much to the same purpose. Only, to avoid future mistakes, it was declared from the chair, that under them it should be lawful for their commissioners to apply for an increase of the *minimum*. This is ample demonstration of the assembly's meaning of the resolution, in consequence and in the very words of the motion; and therefore we apprehend, that as it was using the assembly ill, to make any part of the report in contradiction

tradiction to the resolution of assembly, so a proceeding so irregular cannot in justice minister a foundation for a dissent. The Dissenters were all of them members of the assembly, which agreed without division to the resolution; which was fully explained before it was so agreed to: wherefore, if that maxim of law, and indeed of reason, *Illud tantum possumus quod de jure possumus*, has any force, the Dissenters could not retract any concession; nor were they at liberty to dissent from any step which has been taken towards making a humble application to parliament to obtain an augmentation, in consequence of the resolution of the assembly, to which they agreed without division, and were thereby absolutely concluded by it. The assembly never was, nor would have been contented with a general application, without humbly asking an alteration of the *minimum*. This was always their capital point. The Dissenters know this well, and therefore ought not to put it upon the assembly, as if, by their judgment, rejecting the negative put upon it by the committee, the assembly had for the first time shewed they would not be contented with a general application, unless it should be understood to comprehend an alteration of the *minimum*. All this was fully explained before the resolution was agreed to without division. And if the Noble and Honourable Dissenters agreed to it, for the sake of peace and unanimity, we are sorry they have not pursued so good a view with the steadiness we had reason to expect of them.

The

The FIRST *Reaſon of Diſſent.*

"Becauſe though we are ſenſible, that ſeveral Miniſters of the Church of *Scotland* may juſtly be intitled to ſuch a reaſonable augmentation of their ſtipends, as the extent and ſtate of the tithes in their reſpective parithes can bear; yet, as this may be obtained by the law as it now ſtands, we think an application to parliament by this aſſembly, for an alteration of the law, by increaſing the *minimum*, or loweſt proportion of ſtipends, is improper, unneceſſary, and may at the ſame time prove highly dangerous, not only to the true intereſt of the Church, but to the peace alſo and tranquillity of the nation."

ANSWER.

To the *firſt* and all the reaſons of diſſent one general anſwer may be made, That the conſtruction we have reaſonably put upon the motion of the Honourable member's, and the conſequent reſolution of the aſſembly, agreed to without diviſion, might have juſtly prevailed with the Venerable aſſembly to receive no diſſent even to be kept *in retentis*. Diſſents ought to be entered upon the ſpot. But, after a reſolution taken and agreed to without diviſion, is not only paſſed, but ſubmitted to for ſeveral days, to pretend to pull up the debate which preceeded the reſolution to agree to, by any means, or upon any pretence whatſoever, is equally

qually contrary to good order, and the motives the Diſſenters ſay they had in agreeing without diviſion to the reſolution, *for the ſake of peace and unanimity*. We are ſorry the peace and unanimity of our reſolutions is broke by the Noble and Honourable Diſſenters. This, if it ſhould be dangerous to the intereſts of the Church, and to the peace alſo and tranquillity of the nation, is what the aſſembly is not to blame for.

The aſſembly has retracted no conceſſion; they are only following out the plan which they once had reaſon to think was at leaſt acquieſced in, or conſented to, univerſally. But ſince the aſſembly has ſubmitted to receive the diſſent, and allowed the reaſons of it to lie *in retentis*, we hope to be able fully to ſupport the juſtice of the aſſembly's conduct. In order to which, we obſerve, that the Diſſenters themſelves are ſenſible, that ſeveral of the Miniſters of the Church of *Scotland* may juſtly be intitled to ſuch a reaſonable augmentation of their ſtipends, as the extent and ſtate of the teinds can bear. But by the reports from the ſeveral preſbyteries, fairly collected by the committee of the aſſembly 1749, it appears, that there are 147 Miniſters who have not above *L.* 45 a-year, and a conſiderable number of theſe are below that ſum. The queſtion is not as to ſuch pariſhes, the teinds of which cannot afford the *minimum* now propoſed; till theſe pariſhes are varied as to their extent, or otherwiſe, things muſt remain as they are, or at moſt the ſtipend can only go as far as the teinds go;

but

but the question is, If where there is a sufficient fund to provide Ministers of parishes respectively to reasonable stipends, if it is not proper and necessary that an application to parliament should be made to enlarge the *minimum*? The Dissenters say, that, as a reasonable augmentation of stipends may be obtained as the law stands, the application is improper and unnecessary. Now, though this may be true upon the principles of the act 1633, establishing the *minimum* at eight chalders of victual, or 800 merks; yet surely no body can affirm, as the law stands, that the Lords Commissioners for Plantation of Kirks, &c. can lay it down as a rule, That in all cases where there is a sufficiency of fund to go even higher, they will give to every Minister in such a case a stipend not under ten chalders of victual, or the value of them in money; because the act 1633 is to them a rule, and a very different one, both as to the *quantum* of the *minimum*, and as to the rule of the conversion of the victual. And consequently what is now proposed to be put in place of the *minimum* settled by the act 1633, and the method of conversion therein mentioned, cannot be obtained but by a change of the law; and that can only be done in parliament. And all the arguments brought from the exercise of the discretionary power of the judges of that court, in virtue of which they very frequently exceeded the present *minimum*, even as far and farther than the proposed augmentation, concludes with much more force, that the *minimum* which now obtains, is too low, and

therefore

therefore often disregarded; and that therefore it ought to be altered, than that it ought to be continued. Though the propoſed *minimum* ſhould be enacted upon the humble application of the Church, the ſame diſcretionary power might ſtill be left with the judges, to go further when circumſtances could admit. One thing ſeems to be clear, that though the Lords Commiſſioners ſhould modify no more than eight chalders, or 800 merks, to any Miniſter, even where the teinds could afford a much better ſtipend; yet their judgment would be held legal. But the queſtion remains, If ſuch a ſtipend could be eſteemed a reaſonable proviſion for a Miniſter? And as the Honourable judges of the court ſo often mentioned, are friends to the eſtabliſhed Church, we apprehend, that it ſhould be very agreeable to them, to have the ſanction of ſuch a law as would direct them to provide reaſonable ſtipends to the clergy, and which at the ſame time would wholly remove the complaint the heritors of any particular parith might raiſe againſt ſuch ſtipends, being modified ſo far above what is now called the *legal ſtipends*. How ſuch a law ſhould prove highly dangerous, not only to the true intereſt of the Church, but to the peace alſo and the tranquillity of the nation, we cannot diſcover; for we are confident, the Diſſenters will, as we will, acquieſce in the judgment of parliament which way ſo ever it may be given. The cry, that *the Church is in danger*, ſeldom, if ever, got its riſe from the laity; but ſurely the Church cannot be ſaid to be put in danger by ſubmit-

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ting to our moſt gracious King and the houſes of parliament, if it is not reaſonable to increaſe the preſent *minimum*, and to give competent ſtipends to the clergy.

The SECOND *Reaſon of Diſſent.*

"Becauſe we find no precedent for it when "the former laws were made in the years 1617 "and 1633, for regulating the ſtipends of the "parochial clergy; and we apprehend there "cannot be the leaſt pretext for introducing "ſuch an innovation at this time,—when the "poverty of this part of the united kingdom "is but too well known;—when we ſtill grone "under the heavy taxes neceſſarily impoſed for "the maintenance of a juſt war, entered into "for the ſupport of the liberties of *Europe*, "and the defence of our own happy conſtitu-"tion;—and when we yet feel the unhappy "effects of the late unnatural rebellion, which "has been ſo pernicious to this country."

ANSWER.

The Diſſenters give *here* as one reaſon of diſſent, that they find no precedent for ſuch an application. But before we conſider whether this be ſo or not, we muſt be permitted to ſay, that granting it were true, yet it can be no juſt objection againſt the doing of a reaſonable thing, that it has never been done before. If there be any ſtrength in this reaſon, it muſt conclude, that though the neceſſities of the clergy

clergy were never ſo urgent, though their humble propoſals were never ſo equitable; yet, for want of a precedent, they ought to make no legal attempt to obtain relief. We muſt obſerve farther, that as in former times our parliament ſat in *Scotland*, our Nobility and Gentry generally reſided in this part of the kingdom, and the clergy had acceſs to be acquainted with all or moſt of them, that then private remonſtrances and ſolicitations might in a great meaſure anſwer the purpoſe of a general authoriſed application. But as this is not the caſe now; as our repreſentatives are few in number; as a great number of the members of parliament reſide at a great diſtance from us, and are very much ſtrangers to our condition; now there is no way of acquainting them with our ſituation, but that which is propoſed. But what is it that the Diſſenters mean, when they ſay there is no precedent? Do they mean that there is no precedent for increaſing the *minimum*? The contrary to this is true; it was for good and weighty reaſons increaſed in the year 1633. Or do they alledge there is no precedent for the clergy's applying for an augmentation of their ſtipends? The contrary to this alſo is true; for the hardſhips that were put upon the clergy after the reformation, afford but too many precedents of this kind. Of many inſtances that might be given from *Spottiſwoode*'s, *Calderwood*'s, and *Collier*'s eccleſiaſtical hiſtories, we ſhall only notice theſe following. *Anno* 1564, the general aſſembly, by their commiſſioners, addreſſed Q. *Mary*, that a ſettled

provision be made for a competent and independent maintenance of the ministry. See *Spottiswoode*. *Anno* 1566, to give some satisfaction to the *Scots* Ministers who were strongly soliciting for a maintenance, the court offered the assembly certain assignments for a present relief; these terms were accepted, with a protestation for saving their rights to the tithes. See *Spottiswoode's Hist. p.* 200. *Anno* 1588, the general assembly, among other grievances to be presented to his Majesty, particularly mention, that the planting of kirks is hindered by want of qualified Ministers and Teachers, and lack of sufficient provision; and that the matter must be remeided, by restoring again the patrimony of the kirk, *&c.*; and that a sufficient living be provided for every kirk. See *Calderwood*, *p.* 220. One reason which the Dissenters give for their opposition to this innovation, as they call it, is, the poverty of this part of the united kingdom; which, say they, is but too well known. Upon this we beg leave to remark, that though it be certain that *South Britain* is, and probably always will be richer than the northern part of the island; yet this can be no argument against the ability of *Scotland*, to grant the moderate request which the clergy are now making. In order to have given the argument from the alledged poverty of the country any due force in this question, the comparison ought to have been made betwixt the condition of our country now, and that condition it was in 117 years ago, when the *minimum*

minimum was last fixed. And if we consider the state of the nation in this view, we will find, that instead of complaining of poverty, we have great reason thankfully to acknowledge the bounty and goodness of God towards us. Had any man the curiosity to look into the customhouse-books since the union, or since the accession of the present Royal family to the crown, and compare them with the books of the same number of years at any time before those periods; or should we consider the state of our manufactures, the value of the export from *Scotland*, compared with what it was before; or did we consider the present rentals of the lands, how much they differ from what they were, even fifty or sixty years ago: what vast improvements would it appear we have made in trade, manufactures, and agriculture. We have no doubt it would appear, that, poor as this nation is called, they are better able at present to allow the clergy ten chalders of victual as their stipend, than they were 117 years ago to afford them eight. Let us consider the state of the interest of money, how far it is fallen below 8 *per cent.* which was the rule of it *anno* 1633; and low as the legal interest is, good securities procure money one fifth lower, that is, 50 *per cent.* under what it was when the *minimum* of stipends was last fixed by the parliament. And will any one say, that this is an evidence of the poverty of our country? Is it not a glaring proof of growing riches, and a thriving community?

Another argument the Dissenters make use of

of against the reſolution of the aſſembly, is, That the nation is full groning under heavy taxes, &c. Taxes are heavy or light according to the riches and ability of the nation who bears them. It is not our buſineſs to inquire or determine, whether the country at this time is not fully as able to pay the taxes to which it is ſubjected now, as it was to pay the taxes to which it was ſubjected 117 years ago. The clergy agree heartily with the Diſſenters in acknowledging the reaſonableneſs and neceſſity of the taxes that are now impoſed. But what we alledge, is, That of all the ſubjects in *North Britain* the clergy feel the taxes moſt, and have the greateſt reaſon to grone under them. There is no tax impoſed upon our country, but what affects the clergy as well as other men, except the land-tax; and had their ſtipends been given them in lands, they would have borne this as chearfully as the landed Gentlemen do. The argument from the taxes, is ſo far from making for the purpoſe of the Diſſenters, that it points the other way; and ſhews the reaſonableneſs of an augmentation of ſtipends; in regard that all other ranks of men have it in their power to ſhare in the growing riches of their country by proper meaſures, and thereby enable themſelves to anſwer the exigencies of a juſt and righteous government; while the clergy have no opportunity of improving their income: but inſtead of that, as the country grows richer, its value muſt decreaſe, while yet they pay for the maintenance and ſupport of the government as well as others.

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The next thing the Diſſenters are pleaſed to mention as an objection againſt the reſolution of aſſembly, is, That they ſtill feel the unhappy effects of the late unnatural rebellion, *&c.* In anſwer to which, we need only take notice, that the clergy felt and feel theſe unhappy effects as much as any ſociety of men in the kingdom, except thoſe who were wickedly engaged in it. The effects of it lie heavy on many Miniſters to this day. Nor was there any ſet of men that expoſed themſelves more to the fury and reſentment of the rebels, than the Miniſters of the Church of *Scotland* did.

The THIRD *and* FOURTH *Reaſons of Diſſent.*

"3. Becauſe, though in former times, when "the reformation was yet in its infancy, it "might not be unreaſonable to aſcertain a deter-"mined *minimum*, leſt the titulars, and other in-"tereſted perſons, who for the moſt part had "at that time in their hands the power of ſet-"tling ſtipends, might, from partial conſide-"rations, oppreſs the clergy; yet no ſuch pre-"tence can at this day ſubſiſt; ſince there is "now an eſtabliſhed court appointed, to judge, "not upon what may affect their own intereſt, "but to determine between the clergy and o-"ther ſubjects, agreeably to the circumſtances "of the pariſh, and the extent of the tithes.

"4. Becauſe as the court of ſeſſion, now veſt-"ed with the powers of the commiſſion for

"plantation

" plantation of kirks and valuation of tithes,
" is not tied down to eight chalders of victual,
" or 888 merks *Scots*, that is, *L.* 44 : 8 : 10 ⅔
" *Sterling*, the present *minimum*, but is at liber-
" ty to settle the stipends at what higher rate
" they think fit, according to the circumstan-
" ces of the parish and extent of the tithes,
" the very scope and purpose of their establish-
" ment, and which indeed can only be done
" by such a court, so it is in fact true, that
" scarce any instance can be given, where they
" did not settle the stipend much higher, when
" the condition of the parish and extent of the
" tithes could possibly allow it. And we ap-
" prehend, that the landed interest in *Scotland*
" may look upon it as somewhat extraordinary,
" that those of the clergy who promote this
" scheme, should attempt to distinguish them-
" selves from the laity in so essential a point,
" as that the courts of justice should be abso-
" lutely tied down in giving judgment where
" their interest is concerned, but left at large
" and unrestrained with regard to the interest
" of the laity."

ANSWER.

The *third* and *fourth* reasons of dissent ap-
pear to us to be so far coincident, that they
may be answered together.—The Noble and
Honourable Dissenters, almost in every reason
of dissent, take notice of the court established
for providing stipends to the Ministers of this
Church,

Church, as an adequate remedy for the grievances under which they lie. If this is done with a view to give impreſſions, as if the general aſſembly was not ſenſible of the great uſe of that Honourable court, of the ſupport which many of the Miniſters of this Church have received by the decrees of it; and as if the aſſembly meant, by their propoſed application to parliament, ſomewhat reflecting upon the judges of that Honourable court; it is hoped, that ſuch inſinuations will gain credit with no impartial perſon. The true queſtion is, If it is not reaſonable to vary the rule as to the *minimum*, which muſt of neceſſity have weight with theſe Lords in the courſe of their deciſions? We have already ſhewn, that ſuch applications as the preſent are not without precedent; and that the rank and character which the clergy bear, render it both reaſonable and juſt, that this rule ſhould be varied, and the *minimum* enlarged. What then is it to the purpoſe, to ſay, that, in the infancy of the reformation, it was reaſonable to aſcertain a *minimum*, leſt titulars and others might, from partial conſiderations, oppreſs the clergy? Nearer the infancy of the reformation than the period the Diſſenters have in view, an act of parliament was made, *anno* 1617, (upon the narrative, that many of thoſe [*i. e.* churches] that are planted, have not ſufficient proviſion or maintenance appointed to them, whereby the miniſtry are kept in poverty and contempt, and cannot fruitfully travel in their charges), fixing the *minimum* to five chalders of victual, or 500 merks. At

this time the interest of money was 10 per cent.
and it is to be observed, that poverty and contempt are here joined together, as inseparable. This is what we have the same reason to insist upon now, when the interest of money is reduced to *five per cent.* and likely to be brought lower. But to proceed: This was not judged to be any invariable rule for, in 1663, it was varied; and, by an act in that year, it was statuted, That eight chalders of victual, where victual is paid, or proportionally in victual or silver, as the commissioners shall appoint, according to the rate of that part of the country where the payment of the stipend shall occur, shall be the lowest maintenance to each kirk, except where there shall be a just, reasonable and expedient cause, to go beneath the quantity now determined. There is nothing in history to shew that this variation of the *minimum* was considerable for the few years between 1662 and 1663, was thought to be big with danger to the true interest of the Church, and to the peace and tranquillity of the nation: nor did the people of any rank seem sensible of the advantages of the reformation from Popery. There did not appear but little differences, in so short a time, as to the way of living; but there was a warm sense of religion upon the minds of the people, and therefore, without any thing that appears of an opposition, though doubtless there must have been, by the nature of the thing, application upon the part of the Clergy, the *minimum* was raised to eight chalders of victual, or the value in money; the last part of which has not

in fact been so regularly observed. And this change was *ex professo* made to deliver the clergy from poverty, and its concomitant contempt. At this time the mark was at the rate of *sixteen years purchase*. But if there were any inquirers, or other interested persons, who, from partial considerations, might oppose the setting reasonable and comfortable livings to the Ministers of the Church, intended to deliver them from poverty, and their usual contempt, the wisdom of the parliament overruled them.

Whether the same considerations do at this time influence the opposition to the raising the *minimum*, when money is become less valuable, and the interest reduced to *3 per cent.* and probably soon to be reduced lower; and when, at the same time, the manner of living, even in the frugal way, is greatly increased, we shall not say: but this with great freedom we can assert, that there is the same reason to deliver the Ministers of the Church of *Scotland* from poverty and contempt, that there was at the date of any of these acts of parliament; and to any man who knows the present situation of our country, and what it was a hundred and seventeen years ago, it cannot fail to appear, that the *minimum* of ten chalders of victual, or the value in money, is really no greater, if any better, stipend, than eight chalders of victual, or their value, was in 1633. The assembly shall ever reckon it their happiness, to have the Honourable court so often mentioned, as judges to determine between them and the unhappy interest. On the one

hand, their known affection to the Church of *Scotland*; and on the other, their connexion with the landed interest, will continue to keep a considerable balance, by which they will weigh the merits of every case, and decide accordingly. But neither what is said upon this head in the *third* or *fourth* reasons of dissent, affects at all the present question, which is, If it be not just and reasonable that the present *minimum* be enlarged, and that application be humbly made to parliament for that purpose; since it is agreed, that that court has no proper powers to enlarge it. It is a fine thing the assembly beg leave to be excused to avoid falling into, *viz.* to enter into the discussion of a point, in which the clergy may be supposed not versant; that no instance can be produced where that court did not settle the stipend much higher, (*i. e.* than the present *minimum*, when the case of the parish, and extent of the teinds, could possibly allow it). If that is so, what is all this mighty debate about? No more than this, Whether the *minimum* should be fixed by statute, or be dependant upon decisions, which may vary? Whether this *minimum* should be fixed by an act of power of the legislature, or left to the discretionary power of the judges? The objection admits, that the present *minimum* is always regulated according to the condition of the parish, as to the extent of the teinds; and unless the objection shall be able to ascertain the proposed *minimum*, the assembly cannot imagine that the house should be affected to make it a reason of dissent, that the *minimum* is not ascertained. One thing, however, we cannot omit to observe,

observe, that though, by several acts of parliament, the clergy have right to an augmentation, the Lords have held it as a rule, no augment no stipend modified and localled since the union; although many cases occur in which such augmentation ought to have been granted. This will be remedied, we hope, by parliament. Nor do the assembly desire, that the clergy shall be distinguished from the laity, by having the judges tied down where their interest is concerned, and left at large with regard to the interest of the clergy. If the laity have any thing to propose for their security, they will always willing to hear it. No such thing has as yet been mentioned; and they have the same access to apply to our gracious King, and the houses of parliament, for that purpose, that we have; and they have the same right to do so.

The FIFTH *Reason of Dissent.*

Because the increase of the *minimum* pointed at by the promoters of this scheme, is unreasonable, and what cannot in justice to be obtained. Their first project was, that every Minister in *Scotland* should have one hundred pounds *Sterling per annum*. Their present proposal is, that every Minister should have ten chalders of victual, or its value in money, which through one half of *Scotland* will amount to [illegible] pounds *Sterling*. By which [illegible] "to

more bear, since in some parishes there are not three tithes, in others no tithes at all, from which it could possibly be drawn. And though it could be levied, we are all of opinion, that it is an additional burden much too heavy to be laid upon this poor country. For we believe it will be found to amount to about L. 120,000 *Sterling per annum*. A sum equal to one half of the land-tax; and which, at the rate of 4 *per cent.* does correspond to a capital of half a million *Sterling*.

ANSWER.

To the *fifth* reason of dissent we answer, That if we cannot shew that our scheme for augmenting the livings of the distressed clergy is reasonable, doubtless it cannot succeed; but we hope we have already removed this assertion, for an argument it is not. And whatever was the first project, the general assembly, nor any of the committees thereof, never adopted the proposal, That no Minister in *Scotland* should have under L. 80 or 100 *Sterling per annum*. The committee of the assembly, 1749, framed the proposal as it now stands, which it is a mistake to say will raise the stipends of near one half of *Scotland* to L. 100 or L. 83 : 6 : 8 *Sterling*. This supposes the value of near one half of *Scotland* to be worth in value L. 100 *Sterling*, for L. 83 : 6 : 8 *Sterling*, the charge, which is a mistake. And although it were true, and that many parishes

are in no sort able to bear it: that in some there are not free tithes, (by which we hope the Dissenters mean tithes liable to pay no more, as all tithes *sub modo* are) in others no tithes at all from which it could possibly be drawn: the Dissenters might have considered, that where such difficulties occur, it is a part of the plan, to divide or annex parishes without any prejudice to religion, so as a sufficient fund shall arise to the Ministers of such parishes when new-modelled by division or annexation. This present defect therefore, which is another reason of dissent, the Noble and Honourable Dissenters say, if rightly remedied by divisions and annexations, would in a great measure answer the end in view, and no additional burden be laid upon the landed interest, should not be carried so far in the argument of the unreasonableness of the scheme in general; because we agree, that where the tithes will not afford ten chalders of wheat, or the value in particular parishes, by reason of their smallness or being wrong divided, that the augmentation cannot take place in such parishes, till such divisions and annexations shall be made agreeably to the plan of the assembly 1750. And as this in part answers the allegation, That the augmentation proposed will amount to *L.* 200,000 sterling yearly, so if an account shall be made upon right principles, it will evidently appear, that this yearly burden is vastly exaggerated: the true principles upon which such a calculation should be founded, is precisely upon the difference between the present [illegible] which

every

every Minister has a right to have where the tithes can afford it, the deficiency of which affects but few cases, and neither the old nor proposed *minimum*), and the *minimum* humbly to be proposed to parliament; and as to stipends just equal to the present *minimum*, and such as exceed the present *minimum*, but are below the *minimum* now proposed, to take the difference between the stipends as they now are, and the *minimum* now proposed. And if a calculation is executed upon these principles, it will be found to be a sum so greatly inferior to *L.* 20,000 *Sterling*, as we hope will convince every impartial man, that the whole of this question is of very little importance to the landed interest. It has been already hinted, that, as the law now stands, every Minister, where the tithes of the parish can allow of it, has a right to eight chalders, or the value; which is the present *minimum*. Now, if, by reason of the expence in pursuing for a legal modified stipend, or for other reasons, he has not yet got it, still the difference between his present stipend and the present *minimum* is a burden already imposed by law; therefore it cannot be said to be a burden to be imposed by raising the *minimum* as now proposed. And therefore, in the calculation, every stipend lower than the present *minimum* must be considered as equal to it, except where the tithes will not furnish it; and then the case of that stipend will not affect the calculation at all; but stating all below the *minimum* at it, and taking the difference between such as are above it, and come not up

to

to the *minimum* now proposed, the yearly difference will be vastly inferior to *L.* 20,000 *Sterling*; and consequently the observations, that it will amount to one half of the land-tax, or to a capital of half a million *Sterling* at 4 *per cent.* (which may mislead, we shall not say are intended to do so), fall to the ground.

The SIXTH *Reason of Dissent.*

"Because, though it might be very practicable for the parliament 1633 to fix this *minimum* with some degree of precision, as they had before them the state of the whole riches of the kingdom, which had been made up by commissioners appointed for that purpose; yet, as the parliament of *Great Britain* can not now have the same degree of information, it is manifestly impracticable for them to come to any determination in this matter. Besides, as the present *minimum* is not absolutely fixed, so neither, in common justice, can any new proportion be established as the general invariable rule for all the parishes in *Scotland*. Every single parish must still stand upon its own distinct footing, and every respective stipend must still be determined from an exact knowledge of the extent, income, and produce of the parish, of the quantity of tithes contained in it, and of the situation and condition of those tithes."

The *sixth* reason of dissent proceeds upon various mis-

takes.

takes. For, 1*ſt*, The ſtate of the tithes of all this part of the kingdom was not before the parliament 1633, by virtue of commiſſioners for that purpoſe. A commiſſion was indeed granted by the parliament 1617, and by the parliament 1621, and by the parliament 1633, and the like commiſſion by many ſubſequent parliaments, to value the teinds of each heritor's lands; and ſome of them impowered the high commiſſion to appoint ſub-commiſſioners for that effect, at the ſuit of heritors, titulars, miniſters, procurator-fiſcals, for different ends and purpoſes: but no full report of thoſe commiſſions was made, or was intended to be made to the parliament 1633, nor to any ſubſequent parliament. Some progreſs was made upon the commiſſions 1617 and 1621; but, beyond controverſy, it is certain, that theſe commiſſions made but ſmall progreſs in valuing the teinds. Nor is there any evidence or ground to believe, that any reports from them were laid before the parliament 1633; nor is that work yet finiſhed, or near it. Theſe commiſſioners acted by a parliamentary power committed to them for the ends therein mentioned, and made no compleat reports of their proceedings to parliament. Nor was the ſtate of the tithes, as they reſpect particular pariſhes, at any time under the conſideration of parliament, further than, in general, to fix the rules by which they were to be valued and ſold, or valued only where they were not ſaleable; and, in general, to give orders for providing competent proviſions for Miniſters, who were all of them ſtipendaries before that time. 2*dly*, The

parliament,

parliament, at their next meeting, shall have as much before them as the parliament 1633 had, namely, to consider if the humble application of the assembly to raise the *minimum* be reasonable; and if they shall be pleased to think it is, the modifying of stipends will go on in the same way, and by the same rule, as it now does. Where there is a sufficiency of teinds to afford the *minimum* proposed, it will be given, and as much more as to the court shall appear reasonable; where there is not such sufficiency, the other part of the scheme which the Gentlemen applaud, though they dissent from it, must be relied on to supply that defect, which no doubt will be the work of time.

We have a better opinion of the parliament of *Great Britain*, than to think that it is impracticable for them to come to any determination in this matter. For, besides what has been already said, there is one consideration which may be humbly suggested to parliament, which we think cannot fail to strike at first hearing of it; namely, that it may with a modest assurance be averred, that, since the date of the act 1633, the land-rent has been advanced a great deal more than one fourth; which will yield a sufficient fund for the proposed *minimum*. This may be demonstrated by an example of the teindable subject, the smallest that occurs perhaps in any parish of *Scotland*. Suppose the teindable subject of a parochial rent of 4000 merks *per annum*, as in the year 1633; this would then have allowed of a stipend of 800 merks, which is the fifth part, or teind of 4000 merks of rent.

Now, suppose it to be raised to 5000 merks *per annum*, there is still the same place for giving an augmentation to the extent of 1000 merks; which is the fifth, or tenth of 5000 merks yearly rent. And the same rule must hold as to the increase of virtual rent, where that is the rent payable to the master. We do not insist to have an invariable rule fixed for each parish. We are sensible that every parish must stand upon its own distinct footing; that must be the case now, and must be the case whatever the *minimum* is, or shall be. But that does not affect the present question. If that now proposed be passed into a law, the execution of the thing will go on just as that of the act 1633 now does; in doing which, all that is required of the knowledge of the extent of the rent, income, and produce of the parish, and of the quantity of the teinds, must be laid before the court that has the execution of the law. But of these things it is not necessary, as we apprehend, to lay an exact detail as to every parish before the parliament; nor was it ever done when the former *minimums* were settled.

The SEVENTH *Reason of Dissent.*

" Because it is notorious, that there is already a less disparity betwixt the lowest and " the highest livings in *Scotland*, than in any " other part of *Europe*. And though it may " be true, that some particular Ministers are meanly enough provided, yet we shall find, " that, in one complex view, the general a-

" mount

"mount of their stipends, free off all taxes, "and even exclusive of very considerable sums "arising from the value of their manses, glebes, "and grass, will exceed a million of merks "*Scots*, or *L.* 55,555 11 1/9 *Sterling*, which "we may safely aver to be at least in proportion equal to the provision of any other Protestant clergy. It is not therefore to the lowness of the general fund, but to the unequal distribution of it, that, in this as well as other countries, the distress of some particular clergymen is to be ascribed. And this unequal distribution is in *Scotland* plainly owing to the improper and injudicious division of parishes; of which several are not above two miles in circumference; a great many consist of three, two, and others not of more than one hundred persons; nay, some have been found wherein there are not above forty. But if larger parishes were divided, and such small ones annexed, which might be done by the common course of law, without any application to parliament, it is believed the end chiefly in view would in a great measure be obtained, and no additional burden laid upon the landed interest."

ANSWER.

To the *seventh* reason we answer, That we do not pretend to know how the clergy in other Protestant countries are provided in livings. But we have reason to believe, that, in those countries where the Presbyterian church-government

vernment is eſtabliſhed, the livings of the Miniſters are conſiderably better than thoſe of the clergy in *Scotland*; and particularly in *Holland*. And though it is natural that a parity among the clergy ſhould produce no great diſparity among the ſtipends; yet, as many of the ſtipends are extremely low, this part of the reaſon of diſſent is fitter to prove, that the livings of the clergy in *Scotland* are rather ſmall than great, and conſequently that they ſhould be increaſed. The Diſſenters next ſay, "That, in one complex view, the general a-"mount of the ſtipends, free of all taxes, and "even excluſive of very conſiderable ſums for "manſes, glebes, and graſs, will exceed a mil-"lion of merks, or *L.* 55,555 : 11 : 1⅓ *Ster-*"*ling*, which they may ſafely aver to be at "leaſt equal in proportion to the proviſion of "any other Proteſtant clergy." But here there is a twofold miſtake. The firſt has been already touched. The clergy of *Scotland* is indeed free of the land-tax, but of no other. The Diſſenters well know, that the manſes, glebes, and graſs, are never conſidered in ſettling of ſtipends, which without them muſt have been higher. The glebes, by the report of the committee, at an average, do not exceed *L.* 4 *Sterling*; and the advantages reſulting from all of theſe will not defray the charges of attending preſbyteries, ſynods, general aſſemblies, commiſſions, viſitations, and ordinations. 2*dly*, Though there were 1000 Miniſters in *Scotland*, and each of them had at an average 100 merks of ſtipend, the whole of

them

them would only amount to the ſum in this computation. But there are not ſo many Miniſters; and it is not true, that, at an average, the ſtipends will amount to 1000 merks to each Miniſter. But how does this part of the argument agree with that other part of it, where they tell us, that our demand now will amount to *L.* 20,000 *Sterling*; that is, to ſome thouſand pounds more than one third of their own account of all the ſtipends in *Scotland*, magnified as it is? whereas all that is now demanded, is only one fourth of what is the preſent legal. It is ſcarce fair arguing to ſink the ſtipends, and then to raiſe them, juſt as it beſt ſuits the argument of the Diſſenters. We have already ſhewn the fallacy of their aſſertion as to the *L.* 20,000 *Sterling*, and that this ſum is mere exaggeration. And here we muſt obſerve, that a good many of the largeſt ſtipends in the large boroughs in *Scotland* do not affect the tithes, nor conſequently the landed intereſt; but are paid by the Royal boroughs, either out of their common good, or by a tax impoſed upon the inhabitants thereof, or by ſeat-rents; which, when ſummed up, will vary the erroneous computation greatly. What follows in this reaſon of diſſent, we believe may in a great meaſure be true. But then the Diſſenters ought to have conſidered, that what they here applaud, and ſay will have the good effect, when executed, to relieve in a great meaſure the landed intereſt of a further burden, is part, and a great part of the plan of the aſſembly, from which they have been pleaſed to diſſent. And though it were

were true, that all this might poſſibly be executed as the law now ſtands, yet as that is a point not ſo clear, it would need to be rendered ſo by the aid of a ſtatute; which as it would remove all doubt, ſo in ſome caſes it would be abſolutely neceſſary to obviate ſome difficulties which attend the making of new erections, which often may occur in the diviſion of pariſhes; but which there is no hope of carrying on without ſome change in the law, and veſting the Lords Commiſſioners aforeſaid with more ample powers than at preſent they have.

The EIGHTH *Reaſon of Diſſent.*

"Becauſe though we are not inſenſible to "the diſtreſs of the neceſſitous clergy, yet we "are of opinion, that ſome degree of ſympa- "thy and commiſeration ought alſo to be had "for the narrow circumſtances of other ranks "of men. It is well known to the clergy "themſelves, how many reſpectable families "reſide in their ſeveral pariſhes, who, not poſ- "ſeſſed of above *L.* 1000 *Scots per annum*, "and loaded beſides with taxes and oppreſſive "debts, are nevertheleſs obliged to ſupport a "rank at leaſt equal to thoſe very Miniſters, "who would now by a new law force from "them a part of that ſmall property, which "they may juſtly think themſelves intitled to "retain. It ought alſo to be conſidered, that "this project, though aimed chiefly at the "landed intereſt, yet by natural conſequence "cannot

"cannot fail to affect, proportionably, tenants, "farmers, and other inferior claſſes of men."

ANSWER.

The clergy are, by no means devoid of that ſympathy and compaſſion which is due to all that are in diſtreſs of any kind. But if the low circumſtances of ſome Gentlemen be a good argument againſt enlarging the ſtipends of the clergy, it is ſuch an objection as always takes place. For we make no doubt, that there were a hundred and ſeventeen years ago, when the ſtipends were augmented, Gentlemen of as ſmall fortunes, and loaded with as oppreſſive debts, as thoſe deſcribed by the Diſſenters. But as we may obſerve, that Gentlemen of ſuch ſmall eſtates will be but very little affected by the propoſed enlarging of ſtipend; ſo we cannot help noticing, that the clergy are by no means on ſuch an advantageous footing, for bettering their fortunes, as theſe Gentlemen are. The poſſeſſion of an eſtate hinders no man from applying himſelf to any employment, civil, military, eccleſiaſtical, or mercantile. And if theſe Gentlemen are of reſpectable families, it is a great recommendation of them to preferment, and a great advantage in the purſuit of any buſineſs they make choice of. Whereas the buſineſs of a clergyman is ſuch, that there is ſcarce any other employment conſiſtent with the conſcientious diſcharging of it. It is farther to be obſerved, that this application to parliament, ſhould it prove ſucceſsful,

will, we think, be an advantage to these Gentlemen; as it will encourage them to breed up their ſons to the office of clergymen: which would likewiſe be a great advantage to the intereſts of learning and religion. The whole of this reaſon of diſſent ſeems calculated to move the paſſions, and to call in the aſſiſtance of tenants, farmers, and other inferior claſſes of men, who have not the ſmalleſt concern in this queſtion. For as it is a matter quite indifferent to tenants, to whom they pay their agreed rent, whether to the landlord or the pariſh Miniſter; and as they cannot be compelled to pay either to the one or the other, but by agreement: ſo what the inferior claſſes of men have to do with, or how they can be affected by this queſtion, is beyond our comprehenſion.

But, before we diſmiſs this article, we muſt obſerve, that there is one expreſſion uſed here and elſewhere by the Diſſenters, which is a great deal too ſtrong, *viz.* That by a new law we are attempting to force from them a part of that property, which they may think themſelves intitled to retain. Now, as the ſtipends of the clergy can affect only the teinds, no man, whether titular, patron, or heritor, has a right to them, but with the burden of competent proviſions for the Miniſters of the Church: to which the teinds are declared by law to be liable, as much as the land is liable to the land-tax. And for this reaſon among others it was, that the law, in great favour to the heritors, allows them to purchaſe their teind from a titular at the cheap rate of nine years, and the yet cheaper

rate from patrons at ſix years purchaſe; while thoſe who have, or ſhall purchaſe from theſe firſt purchaſers, rely upon the warrandice of the ſellers, againſt future augmentations. An irrefragable argument of the natural and legal burden of ſtipends upon teinds. It is true, that in localling ſtipends, many diſputes ariſe among the heritors, *quo ordine*, the teinds ſhould be affected by the ſtipend: but this is nothing to the Miniſters. The ſtipend is modified according to the extent of the pariſh, and of the teinds. And this ſtipend once modified, muſt be made good out of the teind; which therefore cannot be conſidered as the property of the heritors abſolutely, but only as their reſiduary property, after the ſtipends, which is the preferable right affecting the teinds, are firſt taken out of them. Wherefore, though by a new law the clergy ſhall be found to have a right to a higher *minimum*, and conſequently in many places to a higher ſtipend, if the neceſſitous circumſtances of the clergy make ſuch a law juſt and equitable, the like neceſſitous circumſtances of Gentlemen will be no objection to the clergy's being provided in ſuch a manner as to deliver them from poverty and contempt.

The NINTH *Reaſon of Diſſent.*

"Becauſe, notwithſtanding the prudent and "expedient inſtruction given by the laſt aſſem-"bly to their committee, yet, ſo far as we "have been able to learn, we cannot find,

" that, in consequence of it, any attempts
" have been made to explain to the landed in-
" terest the nature of this project, and the mo-
" tives which gave rise to it; not to alleviate
" the prejudices, or remove the general resent-
" ment, which it was well known they had
" conceived against it, by reason of the many
" unguarded, and (we hope) false aspersions,
" which it was publickly reported had been
" thrown out against them in that assembly,
" when deliberating upon this measure. From
" which conduct a suspicion has arisen, that it
" is the design of many of the clergy to put
" themselves in the balance against the weight
" of the whole Gentlemen of property in *Scot-*
" *land.*"

ANSWER.

Here we cannot help saying, That granting these allegations against the conduct of the committee appointed by the assembly 1749, and the conduct of some other clergy, granting they were true; yet they do not afford any reason for dissent from what was done by the assembly 1750. It is well if they have conducted themselves so as to give no just ground of offence, though they be not made to answer for the miscarriage of others. With respect to the alledged neglect of not waiting on Gentlemen, and informing them of the nature of this affair; we answer, That if this was not done, it was not owing to the fault of the committee, who gave express instructions for that purpose.

But

But the fact is, That some of the Gentlemen were waited upon, and some too of great rank; that, in some other places, some Gentlemen so early published their opposition to every thing like an augmentation of stipends, and in such terms too, as quite discouraged the clergy from making any application to them, as they could not expect a patient hearing from those who, in publick papers, had called the design of the clergy a dirty and avaritious project, a design which tended to increase their vanity, luxury, and power. And if these applications were not more generally made, it might be owing to this consideration, that it was thought by some a little premature, before an application to parliament was finally determined by the assembly. As to what the Dissenters complain of false aspersions thrown out against the landed interest; as we do not know that there were any such aspersions, so we would not pretend to justify them if there had been any. And supposing it were true, it would be hard that the escapes or follies of a few should be made use of against the whole body of the Church, and against a very reasonable scheme. Nor does it appear, that the clergy now-a-days design to put themselves in the balance against the landed interest. It is not the business of the ministers of the gospel, to put themselves in opposition to any set of men, and far less the landed interest. And sure it is no evidence that they are doing so, when they are addressing the representatives of the landed interest in parliament, and laying their grievances humbly before them.

The

The TENTH *Reason of Dissent.*

"Because, when we consider the manner in "which this scheme was originally set on foot, "the methods by which it has been carried "on, and the arguments employed in support "of it, we cannot but think, that it has been "calculated, not so much for the relief of di-"stressed clergymen, as in prosecution of other "views, which we do not incline to enlarge "upon."

ANSWER.

In answer to this reason of dissent, we beg leave to say, That this scheme was brought before the church-courts in a very regular and decent manner; that it was carried on very regularly and decently; and that the arguments employed in support of it, arising from the low state of the livings of the clergy, and the necessity and importance of the clergy's being provided with something of a tolerable decent maintenance, are in themselves just, and what we apprehend have never yet been sufficiently answered. It is evidently calculated for the relief of distressed clergymen, or for nothing at all. As for what the Dissenters say of other views, we will answer this, when the Dissenters please to explain what they mean. Such dark insinuations we cannot help thinking extremely unbecoming men of their rank and character. And, to use their own words, we submit it, if this is not practising upon the

weak,

weak, misleading the unguarded, and inflaming the dissatisfied.

The ELEVENTH Reason of Dissent.

"Because this project is also contrary to the "opinion and inclination of many of the wi- "sest and most prudent of the clergy them- "selves; who have been justly moved by a "sense of the many fatal consequences with "which they foresee it is likely to be attend- "ed."

ANSWER.

As to what the Dissenters here say, that this project is contrary to the opinion and inclination of many, *&c.*; we are sorry to say, That the Honourable Dissenters have mistaken the conduct of our brethren: for they all along in public, in our assemblies, declared, that they were fully satisfied as to the reasonableness and necessity of an augmentation; and differed only from us as to the expediency of an immediate application: and but very few of them voted against rejecting the negative which the committee put upon our application to parliament. And it is not much to be wondered at, that, in so large a society of men, they should not all be of the same mind, with respect to the expediency of any measure. It is rather to be wondered at, that such a number of men should have been so unanimous in their opinions. What was done by the assembly, is the voice of the Church of *Scotland*; as appears from the instructions that were

were sent up by the presbyteries and synods, and from the choice of the members which they made to represent them in this last assembly, who were almost all declared favourers and promoters of the scheme. And even those very few who differed from us, declare, that they wish all success to the application. And the wisdom and prudence of these Reverend Ministers seems rather to be an argument against the Dissenters, as they did not go along with them, or join them in the dissent which they made from the resolution of the Venerable assembly.

The TWELFTH Reason of Dissent.

"Because it is well known to us, and indeed notorious, that almost the whole landed "interest in *Scotland* have in the strongest "terms declared their disapprobation of this "ill-concerted project; which they consider in "no other light than a direct incroachment "upon their undoubted property, set on foot "by a body of men, who either already are, "or by the common course of law may be "abundantly provided. And we sincerely think, "that no greater misfortune can befal this "country, than an open rupture and contest be-"tween the clergy and the proprietors of land; "who, from the justest reasons both of reli-"gion and policy, have hitherto remained in-"separably united, notwithstanding the repeat-"ed efforts of their common enemies. The "prospect of this unhappy division cannot but "excite in our minds the most alarming and

"melancholy

" melancholy apprehenſions, when we conſi-
" der the imbarraſſment and diſturbance which
" it may create to his Majeſty's quiet and happy
" government, the jealouſies and diſcontent
" which it may raiſe in the breaſts of many of
" his faithful ſubjects, the manifeſt obſtruction
" it muſt give to the progreſs of piety and vir-
" tue, and, finally, the unavoidable advantage
" it will afford to the ſecret and avowed ene-
" mies of our excellent conſtitution and go-
" vernment, who are ever ready to improve
" to their own benefit the misfortunes and
" diviſions of their country, by practiſing upon
" the weak, miſleading the unguarded, and
" inflaming the diſſatisfied and diſcontented."

ANSWER.

As to what the Gentlemen ſay, "That it
" was notorious, *&c.*;"

It was by no means notorious, that when this diſſent was made, the whole, or that one half of the landed intereſt, had declared againſt this ſcheme of the clergy. This diſſent indeed was a loud call to the landed intereſt to declare themſelves againſt the augmentation; and it cannot be denied, that ſince that time numbers of ſhires have publiſhed their reſolutions to oppoſe us. And yet that the whole of the landed intereſt are not againſt us, is certain: ſome of them have appeared for us: and inſtances can be given, where a very few Gentlemen have convened, and called themſelves a numerous meeting of the heritors and freeholders of the ſhire,

and have declared themselves against the resolution of the assembly. But supposing the fact to be as it is here represented, there is still a previous question to be determined, Whether the intended application to parliament is not reasonably just and necessary, not only to extricate many of the present Ministers from such distress, contempt, and poverty, as greatly frustrates the right discharge and success of their ministry; but also to provide for their successors such a proper decent maintenance as may be necessary to invite persons into the ministry, who can bear the charge of a proper education for it; without which their characters and abilities to answer the ends of their profession must necessarily sink? If this, upon a fair and unprejudiced attention, shall be found to be the case, it must be owned, that not only the present worldly interests of the clergy, but the present and future interests of religion and learning, are deeply concerned in the success of the designed application.

In this view of the matter, the appointment of the last assembly was a duty they owed to God and their country; and after having done what they can to convince their opposers of the reasonableness and importance of their demands, and laid their humble requests before the parliament, they may with honest hearts resign themselves to the divine providence for the issue.

We cannot help thinking the Dissenters express themselves in a very extraordinary style, when they say, "They cannot consider the "assembly's project in any other light, than

"as

"also direct incroachment upon their undoubt-
"ed property." This we reckon is to pre-
fume, that they have such an absolute right to
the tithes in their possession, as not to be sub-
ject to any farther augmentations. This, if
admitted, would not only be an effectual bar
to the present application to parliament, but
would preclude every individual Minister from
applying to the Lords of Session for any aug-
mentation as the law now stands. For what
Minister could have the assurance to make a
direct invasion or incroachment upon their un-
doubted property? And if the threatened oppo-
sition should have deterred the assembly from
making their application to parliament, by the
same argument every Minister should be deter-
red from asking any augmentation from the
Lords of Session, as the law now stands; for
in most of these cases the poor Minister must
stand against the united opposition of all the
landed interest in his parish who have any free
tithes in their hands. We also sincerely think,
that scarce a greater misfortune can befal this
country, than an open rupture and contest be-
tween the clergy and the proprietors of land;
who, from the justest reasons both of religion and
policy, have hitherto remained inseparably unit-
ed, notwithstanding the repeated efforts of their
common enemies. But we submit it to the im-
partial world, in which a rupture shall happen,
who shall be to blame for it? It is our humble
opinion, that if the landed interest apprehend
that they should oppose our scheme, they might
have done so, and maintaining and keeping in-

violated

violated the principles of religion and policy, which hitherto have connected the Gentlemen and the clergy. And we cannot but lament the advantage the Diſſenters give our common enemies, in declaring that an open rupture may enſue upon our following out our humble application to parliament. Upon our part, we are firmly reſolved to diſappoint the crafty deſigns of our common enemies, and upon all occaſions to ſhew the high regard we have for the landed intereſt. We cannot think, but that the intereſt of the landed Gentlemen might have been as well conſulted and defended, although ſo ſtrong reſolutions had not been taken by them in ſome counties; by which, at the ſame time that they have charged us with doing what might tend to the diſturbance of his Majeſty's happy and juſt government, they themſelves alone have been the authors of what may tend to diſturb the quiet of the government, by raiſing groundleſs alarms; and even in the reaſons of diſſent, they have called into their aſſiſtance, tenants and farmers, and all the inferior claſſes of men. Now, all theſe declamations, taking the clergy to be on one ſide of the queſtion, and the landed Gentlemen on the other, are no more than the declarations of one of the parties in favour of themſelves; calculated to intimidate the clergy from proceeding in a juſt and reaſonable plan, to deliver themſelves and their ſucceſſors from poverty and contempt. How far theſe declamations, and very ſanguine reflexions, upon (we hope) a grave, wiſe, and religious ſet of men, ſhould

should go, we leave to the judgment of the world; and whether so much noise was necessary to be made, when all we are contending for, is a humble application to parliament, and to lay our distressed condition before our most gracious King, and both the great houses of parliament, the representatives of the landed interest, the best umpires between any of the subjects who may have different or contending interest. And that being the case, we cannot see that our pursuing our plan is so big with such dreadful calamities as those mentioned in the reasons of dissent; all of which a cooler conduct upon the part of the Dissenters, and of the landed interest, might have prevented, and at the same time equally provided against any apprehended incroachment upon their properties. We have entered into no associations, asked no subscriptions to support our cause; we have followed the declared legal method of making our grievances known to THE BEST OF KINGS AND OF PARLIAMENTS. And we trust to the justice of our cause, and of our intentions to provide livings suitable to the rank and character of Ministers of the gospel; such stipends as can only serve to make them live comfortably and respectably, but which cannot be a fund for luxury and extravagance, and will need to be carefully and frugally managed to answer their ends.

This signed in name and by appointment of the committee of the late general assembly of the Church of *Scotland*, named to draw up answers to the foresaid reasons of dissent, by

ROB. PATOUN *Modr.*